

108<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# **H. R. 4053**

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## **AN ACT**

To improve the workings of international organizations and multilateral institutions, and for other purposes.



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To improve the workings of international organizations and  
multilateral institutions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “United States Inter-  
3 national Leadership Act of 2004”.

4 **TITLE I—UNITED STATES**  
5 **INTERNATIONAL LEADERSHIP**

6 **SEC. 101. FINDINGS.**

7 The Congress makes the following findings:

8 (1) Decisions at many international organiza-  
9 tions and other multilateral institutions, including  
10 membership and key positions, remain subject to de-  
11 terminations made by regional groups where demo-  
12 cratic states are often in the minority and where  
13 there is intensive cooperation among repressive re-  
14 gimes. As a result, the United States has often been  
15 blocked in its attempts to take action in these insti-  
16 tutions to advance its goals and objectives, including  
17 at the United Nations Human Rights Commission  
18 (where a representative of Libya was elected as  
19 chairman and the United States temporarily lost a  
20 seat).

21 (2) In order to address these shortcomings, the  
22 United States must actively work to improve the  
23 workings of international organizations and multilat-  
24 eral institutions, particularly by creating a caucus of  
25 democratic countries that will advance United States  
26 interests. In the second Ministerial Conference of

1 the Community of Democracies in Seoul, Korea, on  
2 November 10–20, 2002, numerous countries rec-  
3 ommended working together as a democracy caucus  
4 in international organizations such as the United  
5 Nations and ensuring that international and regional  
6 institutions develop and apply democratic standards  
7 for member states.

8 **SEC. 102. ESTABLISHMENT OF A DEMOCRACY CAUCUS.**

9 (a) IN GENERAL.—The President of the United  
10 States, acting through the Secretary of State and the rel-  
11 evant United States chiefs of mission, shall seek to estab-  
12 lish a democracy caucus at the United Nations, the United  
13 Nations Human Rights Commission, the United Nations  
14 Conference on Disarmament, and at other broad-based  
15 international organizations.

16 (b) PURPOSES OF THE CAUCUS.—A democracy cau-  
17 cus at an international organization should—

18 (1) forge common positions, including, as ap-  
19 propriate, at the ministerial level, on matters of con-  
20 cern before the organization and work within and  
21 across regional lines to promote agreed positions;

22 (2) work to revise an increasingly outmoded  
23 system of regional voting and decision making; and

24 (3) set up a rotational leadership scheme to  
25 provide member states an opportunity, for a set pe-



1 to which the United States is a member so as to ex-  
2 clude nations that violate the principles of the spe-  
3 cific organization;

4 (2) make it a policy of the United Nations and  
5 other international organizations and multilateral in-  
6 stitutions, of which the United States is a member,  
7 that a member state may not stand in nomination  
8 or be in rotation for a leadership position in such  
9 bodies if the member state is subject to sanctions  
10 imposed by the United Nations Security Council;  
11 and

12 (3) work to ensure that no member state stand  
13 in nomination or be in rotation for a leadership posi-  
14 tion in such organizations, or for membership of the  
15 United Nations Security Council, if the member  
16 state is subject to a determination under section  
17 620A of the Foreign Assistance Act of 1961, section  
18 40 of the Arms Export Control Act, or section 6(j)  
19 of the Export Administration Act.

20 (b) REPORT TO CONGRESS.—Not later than 15 days  
21 after a country subject to a determination under section  
22 620A of the Foreign Assistance Act of 1961, section 40  
23 of the Arms Export Control Act, or section 6(j) of the  
24 Export Administration Act of 1979 is selected for a lead-  
25 ership post in an international organization of which the

1 United States is a member or a membership of the United  
2 Nations Security Council, the Secretary of State shall sub-  
3 mit to the appropriate congressional committees a report  
4 on any steps taken pursuant to subsection (a)(3).

5 **SEC. 105. INCREASED TRAINING IN MULTILATERAL DIPLO-**  
6 **MACY.**

7 (a) TRAINING PROGRAMS.—Section 708 of the For-  
8 eign Service Act of 1980 (22 U.S.C. 4028) is amended  
9 by adding after subsection (b) the following new sub-  
10 section:

11 “(c) TRAINING IN MULTILATERAL DIPLOMACY.—

12 “(1) IN GENERAL.—The Secretary shall estab-  
13 lish a series of training courses for officers of the  
14 Service, including appropriate chiefs of mission, on  
15 the conduct of diplomacy at international organiza-  
16 tions and other multilateral institutions and at  
17 broad-based multilateral negotiations of inter-  
18 national instruments.

19 “(2) PARTICULAR PROGRAMS.—The Secretary  
20 shall ensure that the training described in paragraph  
21 (1) is provided at various stages of the career of  
22 members of the service. in particular, the Secretary  
23 shall ensure that after January 1, 2006—

24 “(A) officers of the Service receive training  
25 on the conduct of diplomacy at international or-

1 organizations and other multilateral institutions  
2 and at broad-based multilateral negotiations of  
3 international instruments as part of their train-  
4 ing upon entry of the Service; and

5 “(B) officers of the Service, including  
6 chiefs of mission, who are assigned to United  
7 States missions representing the United States  
8 to international organizations and other multi-  
9 lateral institutions or who are assigned in  
10 Washington, D.C., to positions that have as  
11 their primary responsibility formulation of pol-  
12 icy towards such organizations and institutions  
13 or towards participation in broad-based multi-  
14 lateral negotiations of international instruments  
15 receive specialized training in the areas de-  
16 scribed in paragraph (1) prior to beginning of  
17 service for such assignment or, if receiving such  
18 training at that time is not practical, within the  
19 first year of beginning such assignment.”.

20 (b) TRAINING FOR CIVIL SERVICE EMPLOYEES.—

21 The Secretary shall ensure that employees of the Depart-  
22 ment of State that are members of the civil service and  
23 that are assigned to positions described in section 708(c)  
24 of the Foreign Service Act of 1980 (as amended by this  
25 subtitle) have training described in such section.

1 (c) CONFORMING AMENDMENTS.—Section 708 of  
2 such Act is further amended—

3 (1) In subsection (a) by striking “(a) The” and  
4 inserting “(a) TRAINING ON HUMAN RIGHTS.—  
5 The”; and

6 (2) In subsection (b) by striking “(b) The” and  
7 inserting “(b) TRAINING ON REFUGEE LAW AND  
8 RELIGIOUS PERSECUTION.—The”.

9 **SEC. 106. PROMOTING ASSIGNMENTS TO INTERNATIONAL**  
10 **ORGANIZATIONS.**

11 (a) PROMOTIONS.—

12 (1) IN GENERAL.—Section 603(b) of the For-  
13 eign Service Act of 1980 (22 U.S.C. 4003) is  
14 amended by striking the period at the end and in-  
15 serting: “, and shall consider whether the member of  
16 the Service has served in a position whose primary  
17 responsibility is to formulate policy towards or rep-  
18 resent the United States at an international organi-  
19 zation, a multilateral institution, or a broad-based  
20 multilateral negotiation of an international instru-  
21 ment.”.

22 (2) EFFECTIVE DATE.—The amendment made  
23 by paragraph (1) shall take effect January 1, 2011.

24 (b) ESTABLISHMENT OF A MULTILATERAL DIPLO-  
25 MACY CONE IN THE FOREIGN SERVICE.—

1 (1) FINDINGS.—Congress finds the following:

2 (A) The Department of State maintains a  
3 number of United States missions both within  
4 the United States and abroad that are dedi-  
5 cated to representing the United States to  
6 international organizations and multilateral in-  
7 stitutions, including missions in New York,  
8 Brussels, Geneva, Rome, Montreal, Nairobi, Vi-  
9 enna, and Paris, and which are responsible for  
10 United States representation to the United Na-  
11 tions Economics, Scientific and Cultural Orga-  
12 nization (UNESCO) and the Organization on  
13 Economic Cooperation and Development  
14 (OECD).

15 (B) In offices at the Harry S. Truman  
16 Building, the Department maintains a signifi-  
17 cant number of positions in bureaus that are ei-  
18 ther dedicated, or whose primary responsibility  
19 is, to represent the United States to such orga-  
20 nizations and institutions or at multilateral ne-  
21 gotiations.

22 (C) Given the large number of positions in  
23 the United States and abroad that are dedi-  
24 cated to multilateral diplomacy, the Department  
25 of State may be well served in developing per-

1           sons with specialized skills necessary to become  
2           experts in this unique form of diplomacy.

3           (2) REPORT.—Not later than 180 days after  
4           the date of the enactment of this Act, the Secretary  
5           shall submit to the appropriate congressional com-  
6           mittees a report—

7                   (A) evaluating whether a new cone should  
8                   be established for the Foreign Service that con-  
9                   centrates on members of the Service that serve  
10                  at international organizations and multilateral  
11                  institutions or are primarily responsible for par-  
12                  ticipation in broad-based multilateral negotia-  
13                  tions of international instruments; and

14                  (B) provides alternative mechanisms for  
15                  achieving the objective of developing a core  
16                  group of United States diplomats and other  
17                  government employees who have expertise and  
18                  broad experience in conducting multilateral di-  
19                  plomacy.

20 **SEC. 107. IMPLEMENTATION AND ESTABLISHMENT OF OF-**  
21 **FICE ON MULTILATERAL NEGOTIATIONS.**

22           (a) ESTABLISHMENT OF OFFICE.—The Secretary of  
23 State is authorized to establish, within the Bureau of  
24 International Organizational Affairs, an Office on Multi-  
25 lateral Negotiations to be headed by a Special Representa-

1 tive for Multilateral Negotiations (in this section referred  
2 to as the “special representative”).

3 (b) APPOINTMENT.—The special representative shall  
4 be appointed by the President with the advice and consent  
5 of the Senate and shall have the rank of Ambassador-at-  
6 Large. At the discretion of the President another official  
7 at the Department may serve as the special representative.  
8 The President may direct that the special representative  
9 report to the Assistant Secretary for International Organi-  
10 zations.

11 (c) STAFFING.—The special representative shall have  
12 a staff of foreign service and civil service officers skilled  
13 in multilateral diplomacy.

14 (d) DUTIES.—The special representative shall have  
15 the following responsibilities:

16 (1) IN GENERAL.—The primary responsibility  
17 of the special representative shall be to assist in the  
18 organization of, and preparation for, United States  
19 participation in multilateral negotiations, including  
20 the advocacy efforts undertaken by the Department  
21 of State and other United States agencies.

22 (2) ADVISORY ROLE.—The special representa-  
23 tive shall advise the President and the Secretary of  
24 State, as appropriate, regarding advocacy at inter-  
25 national organizations and multilateral institutions

1 and negotiations and, in coordination with the as-  
2 sistant Secretary of State for international organiza-  
3 tional affairs, shall make recommendations  
4 regarding—

5 (A) effective strategies (and tactics) to  
6 achieve United States policy objectives at multi-  
7 lateral negotiations;

8 (B) the need for and timing of high level  
9 intervention by the President, the Secretary of  
10 State, the Deputy Secretary of State, and other  
11 United States officials to secure support from  
12 key foreign government officials for the United  
13 States position at such organizations, institu-  
14 tions, and negotiations;

15 (C) the composition of United States dele-  
16 gations to multilateral negotiations; and

17 (D) liaison with Congress, international or-  
18 ganizations, nongovernmental organizations,  
19 and the private sector on matters affecting mul-  
20 tilateral negotiations.

21 (3) DEMOCRACY CAUCUS.—The special rep-  
22 resentative, in coordination with the Assistant Sec-  
23 retary for International Organizational Affairs, shall  
24 ensure the establishment of a democracy caucus.

1           (4) ANNUAL DIPLOMATIC MISSIONS OF MULTI-  
2           LATERAL ISSUES.—The special representative, in co-  
3           ordination with the Assistant Secretary for Inter-  
4           national Organizational Affairs, shall organize an-  
5           nual diplomatic missions to appropriate foreign  
6           countries to conduct consultations between principal  
7           officers responsible for advising the Secretary of  
8           State on international organizations and high-level  
9           representatives of the governments of such foreign  
10          countries to promote the United States agenda at  
11          the United Nations General Assembly and other key  
12          international fora (such as the United Nations  
13          Human Rights Commission).

14          (5) LEADERSHIP AND MEMBERSHIP OF INTER-  
15          NATIONAL ORGANIZATIONS.—The special representa-  
16          tive, in coordination with the Assistant Secretary of  
17          International Organizational Affairs, shall direct the  
18          efforts of the United States Government to reform  
19          the criteria for leadership and membership of inter-  
20          national organizations as described in section 104.

21          (6) PARTICIPATION IN MULTILATERAL NEGO-  
22          TIATIONS.—The special representative, or members  
23          of the special representative’s staff, may, as required  
24          by the President or the Secretary of State, serve on

1 a United States delegation to any multilateral nego-  
2 tiation.

3 (e) REPORT.—Not later than 180 days after the date  
4 of the enactment of this Act, the Secretary of State shall  
5 submit a plan to establish a democracy caucus to the ap-  
6 propriate congressional committees. The report required  
7 by section 106(b)(2) may be submitted together with the  
8 report under this subsection.

9 **SEC. 108. DEFINITION.**

10 In this title, the term “appropriate congressional  
11 committees” means the Committee on International Rela-  
12 tions of the House of Representatives and the Committee  
13 on Foreign Relations of the Senate.

14 **TITLE II—MISCELLANEOUS**  
15 **PROVISIONS**

16 **SEC. 201. REPORTS RELATING TO MAGEN DAVID ADOM SO-**  
17 **CIETY.**

18 (a) FINDINGS.—Section 690(a) of the Foreign Rela-  
19 tions Authorization Act, Fiscal Year 2003 (Public Law  
20 107–228) is amended by adding at the end the following:

21 “(5) Since the founding of the Magen David  
22 Adom in 1930, the American Red Cross has re-  
23 garded it as a sister national society forging close  
24 working ties between the two societies and has con-  
25 sistently advocated recognition and membership of

1 the Magen David Adom in the International Red  
2 Cross and Red Crescent Movement.

3 “(6) The American Red Cross and Magen  
4 David Adom signed an important memorandum of  
5 understanding in November 2002, outlining areas  
6 for strategic collaboration, and the American Red  
7 Cross will encourage other societies to establish simi-  
8 lar agreements with Magen David Adom.”.

9 (b) SENSE OF CONGRESS.—Section 690(b) of such  
10 Act is amended—

11 (1) in paragraph (3) after the semicolon by  
12 striking “and”;

13 (2) by redesignating paragraph (4) as para-  
14 graph (5); and

15 (3) by inserting after paragraph (3) the fol-  
16 lowing new paragraph:

17 “(4) the High Contracting Parties to the Gene-  
18 va Conventions of August 12, 1949, should adopt  
19 the October 12, 2000, draft additional protocol  
20 which would accord international recognition to an  
21 additional distinctive emblem; and”.

22 (c) REPORT.—Section 690 of such Act is further  
23 amended by adding at the end the following:

24 “(c) REPORT.—Not later than 60 days after the date  
25 of the enactment of the United States International Lead-

1 ership Act of 2004, and annually thereafter, the Secretary  
2 of State shall submit a report, on a classified basis if nec-  
3 essary, to the appropriate congressional committees  
4 describing—

5 “(1) efforts by the United States to obtain full  
6 membership for the Magen David Adom in the  
7 International Red Cross Movement;

8 “(2) efforts by the International Committee of  
9 the Red Cross to obtain full membership for the  
10 Magen David Adom in the International Red Cross  
11 Movement;

12 “(3) efforts of the High Contracting Parties to  
13 the Geneva Convention of 1949 to adopt the October  
14 12, 2000, draft additional protocol; and

15 “(4) the extent to which the Magen David  
16 Adom of Israel is participating in the activities of  
17 the International Red Cross and Red Crescent Move-  
18 ment.”.

19 **SEC. 202. VOLUNTARY CONTRIBUTION TO ORGANIZATION**  
20 **OF AMERICAN STATES.**

21 There are authorized to be appropriated \$2,000,000  
22 for a United States voluntary contribution to the Organi-  
23 zation of American States for the Inter-American Com-  
24 mittee Against Terrorism (CICTE) to identify and develop  
25 a port in the Latin American and Caribbean region into

1 a model of best security practices and appropriate tech-  
2 nologies for improving port security in the Western Hemi-  
3 sphere. Amounts authorized to be appropriated under this  
4 section are authorized to remain available until expended  
5 and are in addition to amounts otherwise available to  
6 carry out section 301 of the Foreign Assistance Act of  
7 1961 (22 U.S.C. 2221).

8 **SEC. 203. COMBATTING THE PIRACY OF UNITED STATES**  
9 **COPYRIGHTED MATERIALS.**

10 (a) **AUTHORIZATION OF APPROPRIATIONS.**—In addi-  
11 tion to such amounts as may otherwise be authorized to  
12 be appropriated for such purpose, there are authorized to  
13 be appropriated for the Department of State, \$10,000,000  
14 to carry out the following activities in countries that are  
15 not members of the Organization for Economic Coopera-  
16 tion and Development (OECD):

17 (1) Provision of equipment and training for for-  
18 eign law enforcement, including in the interpretation  
19 of intellectual property laws.

20 (2) Training for judges and prosecutors, includ-  
21 ing in the interpretation of intellectual property  
22 laws.

23 (3) Assistance in complying with obligations  
24 under appropriate international copyright and intel-  
25 lectual property treaties and agreements.

1           (b) CONSULTATION WITH WORLD INTELLECTUAL  
2 PROPERTY ORGANIZATION.—In carrying out subsection  
3 (a), the Department of State should make every effort to  
4 consult with, and provide appropriate assistance to, the  
5 World Intellectual Property Organization to promote the  
6 integration of non-OECD countries into the global intel-  
7 lectual property system.

Passed the House of Representatives June 23, 2004.

Attest:

*Clerk.*